

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:132

ANSWERED ON:21.08.2007

LAND RIGHTS TO TRIBALS

Barad Shri Jashubhai Dhanabhai;Prabhu Shri Suresh Prabhakar

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Government proposes to provide to the tribals land rights, power to manage forests and protection of their intellectual property rights over bio-diversity as reported in the Hindustan Times dated July 9, 2007;

(b) if so, the details in this regard; and

(c) the time by when a final decision is likely to be taken in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH)

(a), (b) & (c): A statement is laid on the Table of the House

Statement referred to in reply to parts (a) to (c) of the Lok Sabha Starred Question No. 132 for 21.8.2007 asked by Shri Jasubhai Dhanabhai Barad and Shri Suresh Prabhakar Prabhu regarding "Land Rights to Tribals"

(a) to (c): The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, enacted by the Parliament, already recognises the forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers over forest land for habitation or for self-cultivation for livelihood; right to protect, re-generate or conserve or manage any community forest resource, which they have been traditionally protecting and conserving for sustainable use; and right to access to bio-diversity and community right to intellectual property and traditional knowledge related to bio-diversity and cultural diversity.

The news item in the Hindustan Times dated July 9, 2007, referred to in the question, refers to the draft "Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007" framed by the Ministry of Tribal Affairs for carrying out the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006. The Ministry of Tribal Affairs has pre-published these Rules in the Gazette of India on 19.6.2007 for seeking comments and suggestions from the public and other stakeholders before the same are finalised. The proposed Rules are draft Rules and to be finalised as per the established procedure taking views and comments received from the public into consideration. The process for notification of the aforesaid Act and Rules for implementation is underway and as such no time frame can be indicated